



# Township of Mansfield

Township Clerk's Office

100 Port Murray Rd – Port Murray, NJ 07865  
Phone (908) 689-6151 Fax (908) 689-2840

Permit Number
---------------

## Road Opening Permit Application

**Application Date:** \_\_\_\_\_

**Applicant Information:**

Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Street Address: \_\_\_\_\_

**Contractor Information:**  Check box if information is the same as Applicant information above

Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Street Address: \_\_\_\_\_

**Street Address Location for Road Opening Request with Nearest Cross Streets:**

\_\_\_\_\_

**Specify Proposed Work:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Approximate limits of opening:**

Length: \_\_\_\_\_ Width: \_\_\_\_\_ Depth: \_\_\_\_\_ Square Yards: \_\_\_\_\_

**Size of pipe, main, or ducts being installed:**

\_\_\_\_\_

**Type of Surface to be disturbed:**

\_\_\_\_\_

**Work will be started on:** \_\_\_\_\_ **Completed on:** \_\_\_\_\_

**Additional Remarks:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



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The applicant agrees to comply with the rules and regulations printed above as well as all laws, ordinances, and resolutions, relating to said work, and the acceptance of the permit shall be deemed an agreement to abide by all its terms and conditions.

The applicant further agrees that in the event it shall cause, through negligence, improper action, or omission while the work is in progress or after completion, the Township of Mansfield to incur costs in order to rectify any problem, said costs shall be deducted by the county from the cash deposit. Prevailing wage rates shall be used. After deducting all charges, the balance of the deposit shall be returned to the applicant. The applicant agrees that he is liable for charges incurred in excess of the deposit.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print name

\_\_\_\_\_  
Title

- \$100 road opening application fee
- \$500 escrow fee for opening up to 50 linear feet
- \$750 escrow fee for openings 50 – 100 linear feet
- \$1000 escrow fee for openings 100-250 linear feet
- \$1000 escrow fee **PLUS** inspection to be calculated by Twp Engineer for openings more than 250 linear feet
- \$350 escrow fee for utility service connections for approved public utilities

**FOR TOWNSHIP USE ONLY**

Application Fee Paid (\$100): Date: \_\_\_\_\_ Check # \_\_\_\_\_ Initials \_\_\_\_\_  
Escrow Deposit Paid: Amount Due: \_\_\_\_\_ Date: \_\_\_\_\_ Check # \_\_\_\_\_ Initials \_\_\_\_\_

**Application is:**       **APPROVED**       **DENIED**

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Engineer signature: \_\_\_\_\_ Date: \_\_\_\_\_

Township Clerk Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**PERMITS CAN ONLY BE RELEASED WITH BOTH SIGNATURES**



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### **Chapter 296 Article I – Excavating Streets**

#### **Permit required for excavations.**

It shall be unlawful for any person to make any excavation, opening or tunnel in, on or under any of the streets of the Township without having first obtained a permit for the same, without complying with the provisions of this article or in violation of or variance from the terms of any such permit. No opening or excavation shall be permitted within the surface of any public road, street, or right-of-way under the control of the Township upon which a permanent pavement has been placed within five years of the date of the application of such pavement except in emergency circumstances as provided for herein.

#### **Applications**

Applications for such permits shall be made in writing and filed in triplicate with the Township Clerk and shall describe the exact location of the intended excavation, opening or tunnel, the size thereof, the purpose therefor and the person, firm or corporation doing the actual work and the name of the person, firm or corporation for whom or which the work is being done, and the period of time within which the work shall be performed. The application shall also contain an agreement that the applicant will comply with all ordinances and laws relating to the work to be done.

The applicant shall supply a current New Jersey "One-Call" confirmation number, to document compliance with the underground utility location law.

#### **Issuance of permit**

Upon receipt of the application, the Township Clerk shall forward a copy thereof to the chairperson of the road committee of the Township and another copy thereof to the Township Engineer. The Township Engineer shall then prepare a written estimate setting forth the amount required to restore the street, road or highway to its original condition after the same has been excavated, opened or tunneled, in accordance with the application, and thereupon, shall forward a copy of said estimate to the chairperson of the road committee, who, upon receipt of the estimate, shall authorize the Township Clerk to issue the permit; provided, however, that the applicant shall have paid a fee to the Township and shall have filed a performance guarantee with the Township as is hereinafter required.



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### Application fees

The application shall be accompanied by an engineered plan, or sketch, drawn to scale, of the area to be disturbed, including proposed dimensions and restoration details, and shall be also accompanied by an application fee of \$100 together with an escrow deposit to cover engineering review and inspections of:

- \$100 road opening application fee
- \$500 escrow fee for opening up to 50 linear feet
- \$750 escrow fee for openings 50 – 100 linear feet
- \$1000 escrow fee for openings 100-250 linear feet
- \$1000 escrow fee **PLUS** inspection to be calculated by Twp Engineer for openings more than 250 linear feet
- \$350 escrow fee for utility service connections for approved public utilities

### Performance Guarantee

No such permit shall be issued unless and until the applicant thereof has filed with the Township Clerk a performance guarantee, in an amount equal to the estimate of the Township Engineer, to ensure that the surface of such portion of the public way to be excavated, opened or tunneled shall be restored to its original condition, within the time set forth in the application for the permit.

Such performance guarantee may be in the form of a performance bond which shall be issued by a bonding or surety company licensed to do business in the State of New Jersey and shall be submitted to the Township Attorney for his/her approval as to form, sufficiency and execution. The bond shall remain in full force and effect until released by resolution of the governing body, which release shall be given upon satisfactory completion of the restoration of the surface, in accordance with the terms as set forth in the application.

In lieu of bond, the applicant may deposit a certified check with the Township Clerk, payable to the Township in an amount equal to the Township Engineer's estimate. In the event the applicant fails to restore the surface of that portion of the public way which has been excavated, opened or tunneled, to its original condition within the time set forth in the application for the permit, the Township may use the proceeds of the check to pay the cost of such restoration, and any amount in excess of said cost shall be returned to the applicant. In the event the applicant does restore such surface to its original condition within the time set



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forth in the application, then the Township shall return the full amount of the check to the applicant.

### **Manner of performing work.**

#### **Restrictions**

It shall be unlawful to make any such excavation, opening or tunnel in any way contrary to or at variance with the terms of the permit therefor. Proper bracing shall be maintained to prevent the collapse of adjoining ground; and in excavations, the excavation shall not have anywhere below the surface any portion which extends beyond the opening at the surface.

No injury shall be done to any pipes, cables, or conduits in the making of such excavations, opening or tunnels; and notice shall be given to such persons, firms or corporations maintaining the pipes, cables, or conduits, which are or may be endangered or affected by the work to be performed, before such pipes, cables or conduits shall be disturbed.

No unnecessary damage or injury shall be done to any tree or shrub or the roots thereof.

#### **Safeguards**

During the progress of the work and until such street, road or highway has been restored to its former conditions, the person responsible for making such excavation, opening or tunnel shall cause the same to be properly guarded, both in the daytime and at night, in such a manner as to prevent injury to persons and property, and in accordance with such reasonable provisions as may be prescribed by the road supervisor in the Township and in accordance with the provisions of Title 39 of the Revised Statutes, amendments thereof and supplements thereto. All permits shall contain a statement that work is to be guarded.

If any sidewalk is blocked by any such work, a temporary sidewalk shall be constructed or provided which shall be safe for travel and convenient.

### **Requirements under permit**

All permits issued under this article shall be subject to the following requirements: Any person shall, as a condition of accepting any permit issued hereunder, save, hold and keep harmless and indemnify the Township, its officers, agents, servants and employees from and against any loss, damage, claim, demand or expense arising out of any suit or claim for damages or injury alleged to have been sustained as a result of any work done under such permit.

### **Restoring surface**

Any person making any excavation, opening or tunnel in, on or under any street in the Township, shall restore the surface thereof to its original condition if there is no pavement there. Refills shall be properly tamped down, and any bracing in such tunnel or excavation shall



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be left in the ground. Any excavation or opening in a paved or improved portion of a street shall be repaired and the surface relaid by the applicant, in compliance with the ordinances of the Township and under the supervision of the Road Supervisor within 30 days from the day that roadway is opened.

### **Supervision**

The Township Engineer and the Road Supervisor shall inspect or cause to be inspected, all excavations, openings or tunnels being made in, on or under any street in the Township to see to the enforcement of the provisions of this article. Notice shall be given to them at least 10 hours before the work of refilling any such tunnel or excavation commences.

### **Emergency openings**

Notwithstanding the provisions of this article, any person may open up any Township road, street, or highway to repair any utility, provided it is an emergency and any delay in obtaining the required permit would result in endangering the health and general welfare of the inhabitants of the Township; upon the following conditions:

A permit, as required herein, is obtained within 72 hours after the opening of the roadway.

All work shall be performed in accordance with the provisions of § 296-3, Manner of performing work, and § 296-5, Restoring surface.

All emergency openings to roadways shall be restored and repaired within two days from the day the roadway was opened.

### **Violations and penalties**

Any person who fails to repair and restore any roadway within the time limit set forth in §296-5 and/or §296-7, or violating any other provision of this article shall, upon conviction thereof, be subject to the penalties provided in § 1-17 of the Code of the Township of Mansfield.